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FREE THOUGHTS of the PENAL LAWS, TESTS, and some Late Printed Papers touching Both.

In a Letter from a Person of Quality.

S I R,

I HAVE carefully perused all your *Private Reasons*, as well as the *Publick Prints* you sent, to convince me of the present *Expediency*, if not *Necessity* of *Repealing the Penal Laws*.

As to the *Prints*, I cannot but stand amazed to see such inveterate Malice, and open-fac'd scorn, as most of those Papers carry in them, so confidently walk abroad, and that *sent forth* by Men of pretended Sanctity, Orthodoxy, and pure Christian Zeal; for such the *Protestant Dissenters* claim to be; and indeed I have known not a few of them, for the main, very exemplary in all those qualities. It is prodigious to think that men so implacably (and upon rational grounds many of them) set against the Corruptions of *Rome*, men who hold it as firmly as any part of their Creed, That the Papal Power and Church is the great Antichrist; who but as yesterday were with one mouth exclaiming and writing against many of the Church of *England* as Apostates from the Doctrine of the Reformation, for otherwise interpreting the Prophecies touching Antichrist; who since that, seeing the Constancy and Strength of the Church of *England's* Testimonies against Popery, have professed their sorrow for their late overcharging her Clergy as too nearly allied to *Rome*, and Populantly affected; who have some of them confessed the Episcopal Church to be the great Bulwark against the Power of *Rome*: It is prodigious, I say, to think that those men should in a moment turn tail, and with such Zeal and Indignation at the poor Church of *England*, offer themselves unanimously to join with *Rome*, to pull down their forsaken Mother; professing more liking of a *Publick Toleration* of the just-now abhorred Popery, than of the English Constitution, and thereby *verifying* what they have so long complained was falsely and injuriously laid to their charge, that *they were the People which would bring in Popery, if ever it came in*. The incredibility that these men should act thus, makes me, I confess, rather believe that these Papers are generally writ by some *Crafty men* (of another persuasion), in their Writings, if not otherwise also, personating *Protestant Dissenters*, and that perhaps amongst other ends, to possess the world, there is, even in the best sort of the Dissenters, more Rancor and Uncharitableness than ever most of their Adversaries conceived to be in any of them. This the *A-la-mode Smartness of the Style*, the *Relish of the Arguments*, the *want of a Sense of Religion*, and the *waving good Conscience* throughout the whole management, together with several Marks, (which I will not now name) in most of the Papers, further induce me really to believe. Upon which belief I shall take no further notice of them, hoping all sober Nonconformists are sensible how abominably themselves are wronged by such dealing; and if I am in an Error touching them, that they accepting my Charity, will pardon my mistake; I chuse to err on the best side; only this I must say of those Prints which I have seen, Besides Bitternets, and shameless Calumnies against the poor Church of *England*, there is little of moment in them for me to take notice of, or answer: There is *not one writ with any tolerable Temper*; nor can certainly the blessing of Peace, or of any tolerable good be seen in their list, attend such virulent and unpeaceable Writings; *Dominus incipet*.

As to your *private Arguments*, they are (God be blessed) quite of another vein ; and for my *own particular Sentiments*, I had thought you well knew much less Argument needed to have perswaded me, how unmeet a Motive to Christianity any kind of Compulsion is. I ever was of the mind, not only that *Faith ought not to be compelled*, but that it *cannot*. You know my constantly avowed Maxim, *It is not in mens powers to believe what they will* : Penalties may make a man a Hypocrite, they can never of themselves make him a Believer or good Christian.

Nor does it at all satisfy me, that some say, Men are only forced to the means of *Faith*, as to go to Church, to hear Sermons, and the like, but not to *Faith itself*; for besides, *First*, That this Plea is false, (to Swear, Abjure, take the Sacrament, &c. are the most solemn kind of Professions of Faith assignable, and not at all means to convince a man of Truth) : Besides this, I say, *Secondly*, Even to come to Church itself (that is, to be present, and by Presence seeming to be communicable in the Liturgy) is what many judge in their Conscience unlawful, or are not satisfied of the Right thereof; it is therefore contrary to their *Faith*, or a kind of act, professing to believe what is not believed : The case is the same, if for *Faith* I had put *Conscience*; for Conscience, as it cannot be supposed subject to the attempts of force, being nothing but an inward sense or persuasion of the lawfulness or unlawfulness of Human Actions, differs little or nothing from Faith, in the acceptance wherein I have above used the name : And so in truth, neither can Conscience be forced, tho a man may be forced to act against his Conscience ; which as it is a sin of the most hainous nature in him who does it, so do I not see how we can excuse him from the breach of the Law of Charity, who compels it.

Nor are generally the Authors or Maintainers of Penal Laws, I suppose, ignorant of this : for all such Laws allow unto men the Option of Suffering, or the choice of the Penalty, which the Law inflicts, in case of non-performance of its positive part ; by which choice men may preserve their Consciences inviolate : And so far as there is and will be to the end of the world, different Judgments amongst men, that is, all mens Consciences touching the several Rites or Modes of Worship, and other controverted Points in Religion, will never agree : Whether therefore the Civil Government, and common Peace can be preserved, by leaving all sorts of men to the free exercise of their Conscience, without some Laws to restrain some of them (which Laws if effectual to the aforesaid Ends of Peace and Government, must be Penal) is the great Question, upon the resolving of which, the having or not having Penal Laws, must be determined.

And that which encreaseth the difficulty of resolving this Question, as some would have it resolved, is, That *Faith and Conscience* signifying things invisible, and not to be known but by the Searcher of all hearts, it is impossible always to discern between them, and the pretences of them. Now Factious, Turbulent, and Wicked Men, tho they may be, and commonly are Atheists, having indeed no Faith or Conscience, yet they never will want most specious Pretences of both, and those suitable and accommodate to their own ends : From whence it follows, that tho it should be possible to preserve Peace and Government, allowing Liberty to the Exercise of Conscience truly so called, yet it will be utterly impossible to preserve either Peace or Government, allowing Liberty to all pretences of Conscience, for this is to allow Liberty to Faction and Villany : And by reason of the aforesaid invisibility of Conscience, it will be also impossible to allow perfect Liberty of Conscience, except we together allow Liberty to the pretences of Conscience.

From hence it seems necessarily concludible, that they who will consult the publick safety, and the Interests of Government (even abstracted from the interest of Religion) must allow some restraint upon the exercise of Conscience, and consequently some standing Penal Laws.

But to take in a little the *Interests of Religion*; whether a *Christian Prince*, allowing such a *qualified Liberty* to the Exercise of Conscience, as may consist with the security of Government, ought to allow men *Liberty to have no Conscience*, or to be of no Religion, or even to be of such an one, as does *overthrow the Common Christianity*, will be another *Question* worthy of Consideration; which yet I think every Christian man will resolve in the *Negative*. Distinctly, I mean, that tho we grant men are not to be compelled to the exercise of any one Religion, yet may they *not be allowed* openly to profess *Atheism* (that is, *no Conscience*) nor to *Blaspheme*, and in the same breath allow Religion to be true, and yet endeavour to scoff it out of the World; nor yet to *Profess* or *Practice*, that is, to propagate *such a Religion*, which is *apparently inconsistent* with the *Common Christianity*, as *Judaism*, *Mahometanism*, *Paganism*; and if there be any other like them, as I think *Muggletanism*, and somewhat a kin to it.

The sum then of what we have said, is this, That some *Penal Laws* ought to stand against *Irreligion*, *Blasphemy*, and such *apparently ill Religions*, as these mentioned.

Again, If there be any *Sett of Christian Religion* (at large so called) the *Fundamental* and *Characteristical Principle* of which *consists* not with the *Security of Civil Government*; such as I think, is the *Doctrine* essential to the *Fifth-Monarchy-men*, of the *Reign of King Jesus*, and his *Saints alone*, which is also the *Opinion* of several of the *Anabaptists*, and was of many of the *Quakers* in the year 1660. and will be struck for, whenever these *Sects* are powerful enough; and how desperately, *Venner* with his forty men against the *Train-bands* of the City, and His Majesties *Life-Guard*, will be an eternal Instance. Such *Sects* ought not to be allowed the free Exercise of their Conscience (for that, as before said, is the propagating their Religion;) and therefore, against *these Sects*, *Penal Laws* ought to stand, at least in some measure, for the restraint of their free Exercise of their Conscience, as they will pretend, or call it: I mean for the restraint of their *assembling to hold forth*, and propagate these accursed *destructive* *Doctrines*.

And now we are come to the Point that has long pinched, and perhaps still does; Whether the *Religion of Thorow-papists* (as some distinguish them) that is of those, who hold the *Popes full Supremacy over Princes*, even within their own Dominions, be any more consistent with the *Security of Civil Government*, generally taken, (that is, let the Prince be of what Religion he shall) than that of the *Millenaries*, or of any other like sort; and consequently, whether *Penal Laws* ought not to stand against such *Papists* or *Catholicks*, as they will call themselves?

It seems to me, that those of them who *think their Religion well consistent* with Civil Government in general (be the Prince of whatsoever Christian profession he shall be, suppose a Protestant;) those I say, should *not be against*, or contend for the laying aside, or not having an *Oath of Supremacy*, as to *Temporals* at least; for whosoever appears against such an Oath, manifestly professes thereby his Religion will not suffer him to be obedient even in *Temporals*, to that Governor, whose Supremacy in *Temporals* he avows he cannot, or which is the same, refuses to acknowledg.

It is sure, both the Body of the * *Canon Law* asserts, and some † *Popes* have expressly * *Distinct. 22.* decreed the *Supremacy of the Chair of St. Peter*, even in *Temporals*, to be of *Divine right* c. *Omnes five.* and *matter of Faith*; so as that to believe the *Contrary is Heresy and damnable Sin*. And Ubi etiam vide glossam. Et whatever some do believe or declare, (as I have heard some of them swear, that Dist. 96. Duo should their Father Confessor, or the Pope himself, command them to take Arms against sunt. Et i. Qu. their King, they would not obey;) yet it is also sure, that many *Roman Catholicks*, 4. Quia Præfulatus. and perhaps more Orders of their Religious than one, do to this day so believe; and † *Nicolaus, Gelasius, Leo* tho many of their Confessors may not press the *Popes Supremacy in Temporals* on IV. ubi supra, the Consciences of their Devotes, yet no doubt others, except they are forsworn, do it.

* XV. Qu 6.c.
 Alius item. Et
 c. Nos San-
 ctorum. Et c.
 Juratos milites
 † Gelafius,
 Zacharias,
 Gregor. VII.
 Urbanus II.
 locis proximè
 iam citatis,
 aliq;

Further, the said * *Canon Law* allows the Pope may *Absolve Subjects and Soldiers* from their *Oath of Allegiance*, and *Duty* to their *Kings* or *Commanders*; and several † *Popes* have decreed as much, otherwise it could not have come into the *Body* of the *Canon Law*; nay, they have actually done it. Wherefore it would seem, tho not for *Religions* sake in general, yet for the sake of *Civil Government*, *Penal Laws* ought to stand against such a strain of *Religion* also; at least, against the free Exercise of it. Whether this will conclude *Jesuits*, and those whom some call *Jesuited Papists*, themselves best know; I will not now insist on their fourth *Vow*.

The Result of all is, that an *absolute Repeal* of all *Penal Laws* in the case of *Religion*, or even of such *Penal Laws* which affect either *Catholicks*, or pretended *Protestant Dissenters*, taking *Catholicks* and *Dissenters* for all that call themselves so, is not safe for the *Government*, nor agreeable to *Christian Conscience*; but a *Qualification* of such *Laws*, or some explanatory and mitigative *Act*, which might secure all peaceable conscientious men of whatsoever *Persuasion* (those *Antichristian* and *Turbulent* ones before mentioned, being excepted) in their *Estates*, *Lives* and *Liberties*, while they *Worship God* according to their *Conscience*, were to be desired, and is to be endeavour'd by all who would approve themselves genuinely *Christians*. And I am not without hopes, that those who declare themselves so much for the *Repeal* of the *Penal Laws*, will acknowledge this to be their *Sense*.

But as I have hitherto endeavour'd to be in general, just both to the *King*, *Religion*, and all *Parties* concern'd in my impartial considering and stating the case of all, in reference to the *Liberty* desired; So I must be yet more in particular just to those who are in *Possession* of an *Establishment* by *Virtue* of the *Laws*; and consider while they concede so much, what is fit to be conceded and assured to them by the indulged *Parties*.

First then, Seeing it is expected of the *Church of England*, that she consent to the *Repealing* all such *Penal Laws* which affect the *Estates*, *Lives* or *Liberties* of such *Roman Catholicks* and *Dissenters* as before specified; therefore it must needs be judged but fit and equal, that the *Church of Rome* revoke all such *Laws*, which alike affect all peaceable *Protestants*. Those who pretend that *Church* has none such, may be excused if they speak it out of *Ignorance*; but they are unpardonable who go about to impose so impudent a falshood upon the *World*. The *Church of Rome* has for many *Ages* not only had *Sanguinary* and *Penal Laws*; but also bound, and daily does bind by the most sacred *Oaths*, and under the severest *Penalties*, most of her *Sons*, Sacred as well as *Secular*, to the *Execution* of such *Laws*, to their utmost *Power*; Behold some of those *Laws*, and the legal *Method* to be proceeded in against all, who own not the *Faith* of the *Church of Rome*.

'We *Excommunicate* and *Anathematize* every *Heresy* which sets up it self against this * holy *Faith* which we have above expounded, condemning all and singular ' *Hereticks*, by what *Names* soever they are reckoned, having indeed their *Faces* different ways, but their *Tails* tied together, because as to matter of falshood they agree in the same thing.

* Of which
 Faith, as ap-
 pears by the
 first Canon of
 the *Lateran*

Council, out of whose Decree this Chapter is transcribed into the *Body* of the *Canon Law* (the Chapter being indeed the third Canon of the said *Lateran Council* under *Innocent III.*) of which Faith, I say, two Points amongst others were *Transubstantiation*, and that there is no *Salvation* out of the *Roman Church*.

'And being thus condemned, let them be left to the present *Secular Power*, and to their *Bailiffs* to be punished || with due *Severity* or *Execution*; *Clergy-men* being first degraded from their *Orders*, so that the *Goods* of such condemned *Persons*, if they

¶ An madver-
 sione debita.

‘ they be Lay-men, be confiscate ; but if Clergy-men, be applied to the Churches whence they received Stipends.

‘ And as to those who shall be found * challengeable only by Suspicion, except according to the nature of the Suspicion, and quality of the Person, they shall clear their Innocency by a proportionable purgation, let them also be struck with the Sword of Excommunication [or, of an *Anathema*] and let them be avoided by all Persons till they give condign Satisfaction : So that if they continue excommunicate one whole year, they be from thenceforth condemned as Hereticks.

‘ Further, Let the *Secular Powers* of *whatsoever degree* be admonished and induced, and if need be, compelled by *Ecclesiastical Censures*, that even as they desire to be reputed and accounted faithful, so they take publicly an Oath for the defence of the Faith, that they will endeavour † faithfully [or in good earnest] according to their power, to exterminate out of the *Lands* of their *Jurisdiction* all such as are pronounced Hereticks by the Church : So that from henceforth, *whenever any one shall be assisted into Power Spiritual or Temporal*, he be bound firmly to swear to this Article.

‘ And in case any *Temporal Lord*, being required and admonished by the Church, shall neglect to purge his Country from Heretical Pravity, let him be by the Metropolitan and Comprovincial Bishop *inodated* in the bond of Excommunication. And if he shall neglect to satisfy within a year, let them signify the same to the Pope, that he, from that time forth, may pronounce his Subjects absolved from their Allegiance, and may * set forth his Country to be seized by Catholics, who, having exterminated the Hereticks thence, may possess it without contradiction, and keep it in the purity of the Faith, with a saving to the right of the principal Lord : provided he have put no obstacle in this matter, nor given any other hindrance : The same Law nevertheless being observed as to them who have no Principal Lords.

‘ Further, Let all Catholics, who, having taken upon them the badge of the Cross, shall have applied themselves to the exterminating Hereticks, enjoy the same Indulgence, and be possessed of the same Privileges as have been granted to them who went to succour the Holy Land.

‘ Moreover we decree, That all Adherers, Receivers, Defenders and Cherishers of Hereticks lie under the same Excommunication ; firmly ordaining, that after any such Excommunicate Person shall have, one whole year, neglected to make satisfaction, he from that time become in Law infamous, and be not admitted to any publick Office, Councils, nor to chuse any others, nor so much as to give his Testimony in any Case ; that he also be intefable [or have no liberty or power to make a Will] nor be allowed to come in succession to any Inheritance. Furthermore, that none be compelled to answer him in any Suit or Business, but that he be compelled to answer all others. And in case perchance he should formerly have been a Judge, his Sentence shall have no strength, nor shall any Causes be brought to his Audience. Or if he were an Advocate, his Pleading shall be no-wise admitted. If a Publick Notary, all Instruments made by him shall be of no force, but damn’d with their Author : The same also we command to be observed in like cases. If he be a Clergy-man, let him be deposed from all Office and Benefice. And if any shall not forbear to avoid such Persons, after they have been pronounced Excommunicate by the Church, let them also by Excommunication be compelled to fit satisfaction. Further, let no Clerk administer the Church Sacraments to such Pessilent Persons ; let them not presume to give them Christian Burial, nor let them partake of any Alms or Oblations : or in case they shall, let them [that is, such Clerks so offending] be deprived of their Office ; to which let them never be restored, without a special Indulgence from the Apostolical See. In like manner, let all Regulars observe so

* Solâ suspici-
one notabiles.

† Bona fidē.

* Terram ex-
ponat Catho-
licis occupan-
dam.

None of our
late Tests
match the Se-
verity of this
Law.

‘ to do: upon whom, otherwise, let this Penalty rest, that their Privileges be void
 ‘ within that Diocese wherein they have presumed to commit such Excesses.

‡ Extra. De
 Hæreticis Cap.
 Excommuni-
 camus itaque,
 &c.
 * Cap Excom-
 municamus,
 &c.

Thus far the *Lateran Council* (under Pope *Innocent the Third*, *An. Dom. 1215.*) transcribed into the † body of the Canon Law, which, with the Church of *Rome*, is above all other [at least Humane] Laws, and it were to be wished, that it were not too often observed above God’s Law also.

But though the Council stopt here; after another short Chapter the Decretals go on again thus under *Gregory IX.* ‘ * We Excommunicate and Anathematize all Here- ticks, the *Cathari* [or Puritans] the *Patarens*, the Poor of *Lions* [and others there mentioned, now perhaps unknown] and all others, by whatsoever names they are reckoned, having Faces looking different ways, &c. *as before.*

‘ Being thus condemned, let them be left to the Secular Judgment to be punished
 ‘ with due severity, &c. *as before.*

‘ But if any of the aforementioned Heretics, after they are convicted, will not re- turn to perform condign Penance, let them be kept in perpetual imprisonment. And
 ‘ as to them who adhere to their Errors, we adjudge them alike Heretics.

Cap. Absolutio
 te noverint.

The next Chapter is short, but Substantial. ‘ Let them know that they are absolved
 ‘ from all Debt of Fidelity, Dominion, or Obedience, whosoever were bound by any
 ‘ Compact, howsoever strong, to any Persons fallen into Heresie.

Distinct. XXII
 Omnes.

More of like nature might be easily collected out of the body of the Canon-Law. Now that by *Heretics* those Laws do not understand meerly *Manichees*, *Valentinians*, *Arrians*, or some such gross People, but universally all such who submit not to the Roman Faith, or even to the Supremacy of the Roman Bishop, is, besides what was above-noted, plain from another Text of the said Canon Law. ‘ He [that is Christ alone] hath founded
 ‘ this [the Roman] Church upon a Rock, who committed to blessed *Peter*, the Keeper
 ‘ of the Keys of Eternal Life, the Rights both of the Earthly and Heavenly Empire—
 ‘ So that whosoever endeavours to take away from the Roman Church the Privilege
 ‘ given her by the Supreme Head of all Churches, such Person without doubt is fallen
 ‘ into Heresie; and whereas others [who violate the Privileges of other Churches]
 ‘ are to be called unjust, such Person is to be stiled an Heretic.

Bulla Cænæ.

Vide Pontifi-
 cal. Roman.

As to matter of fact, how these Laws have been Executed, and in some Countries how they still are, is disagreeable to my Design of publick accord to insist: only be- cause we are considering of terms of accord, I must not wave that point of matter of fact, that all Protestants are excommunicated afresh by the Pope every Maundy Thursday, and that every Prelate, which is consecrated, at his Consecration, amongst other things, severe enough against us, swears in these words, *Hereticos, Schismaticos & Rebelles eidem Domino nostro vel Successoribus prædictis, pro posse, persequar & impugnabo.* That is, ‘ I will, according to my power, persecute and impugn all Hereticks, Schif- maticks, or those who rebel against our Lord [the Pope] and his Successors aforesaid.

I will not here meddle with the Doctrine of many *Casuits*, who tell us ordinarily, that all Heretics being *de jure* Excommunicate, any Catholic may safely kill them; Nor that in all Catholic Kingdoms *de Consuetudine*, Burning alive is the proper Legal Death for Heretics: for which last, it were to be wisht, there were not yet Statute- Laws in force, in some of his Majesty’s Dominions. I rub not, I say, on these Sores, but content my self to have mentioned the general Penal Laws above-recited, which are sufficient to prove the *Romanists* have such Laws.

And these being the Laws, and such the present obligation generally to all Catholics in power (whether Ecclesiastical or Secular) to observe them, it is reasonable, that be- fore Penal Laws against all men of this Religion be Repealed, they of the Religion obtain from

from his Holiness some *Repeal* of these and the like *Laws*; at least a *Bull*, exempting all *Protestants* of *England*, *Scotland* and *Ireland*, from being comprehended in the number of such *Heretics*, who are thus to suffer; and together *absolving* all Persons, who have taken *Oaths* for *Exterminating Heretics*, from any obligation to perform those Oaths as to the *Protestants* of these *Countries*; For till then, we have just so much Reason to hope for security from such *Catholics*, as we have assurance that they will never forswear themselves, or all their days live in wilful *Perjury*.

There is another *Law* amongst the *Roman Catholics*, which tho not Penal to us, is to be feared may be one day most dreadfully Penal to as many of them as observe it, and which seems to oblige them to persecute us: I will call it the *Law of Incharitableness*, the revoking of which also, it seems fit, should be made a condition of *Repealing* our Penal *Laws*: The *Law* I mean is that, whereby every one, who will be of that Church, is required to swear to the *Tridentine Creed*, in the close of which oath he avows, *No one can be saved out of the belief of that the present Roman Catholic Faith*. By this they plainly damn four fifth parts of all *Christendom*. I know there are some *Gentlemen* of that *Communion*, who are more merciful to us, and the better *Catholicks* are they for it; God bless them, and encrease the number of them: But I as well know, there are others so stiffly hold to this, that they frequently, and even in their ordinary conversation, as well as in their writings, use it as an Argument to persuade men of our Church to come over to their Religion. As to these, I crave leave to say only this one thing, That men can repose very little confidence in their kindness, who prejudging to God's judgment, have already damn'd them beforehand: Wherefore I conceive they who would have any kind offices pass between us and our *Roman Catholic* Countreymen, or intend we should live together as *Christians*, ought to abandon this rigour, and if possible to procure from the Head of their Church an abatement of it, as to the *Protestants* of these *Countries* at leastwise.

This will appear yet the more reasonable, if we consider of what *Communion* they were that first introduced into these parts of the World Penal or *Sanguinary Laws* in cause of Religion. The *Protestants* in this matter can only be blamed for following an ill Example, which also they have industriously not come up to. They found *Sanguinary Laws*; and the severest of them, in *England*, they have repealed: If any other than those Penal-Laws were made, (as it is not to be denied there were) it was rather upon the score of the *State*, than of Religion. A *Sanguinary Law* made particularly against any sort of our *Non-Conformists*, I never yet knew any: Nor against those of *Rome* purely for Conscience sake. But the *Laws* above mentioned out of the *Roman Canon-Law* are Purely upon the score of Conscience; and even where they extend not to Blood, they are, as we see, much severer than any of our *Laws* or *Tests* against them. In a word, all persons who will be just, must allow to others the Liberty and Security that they desire should be granted to themselves, which is the Height of this our first demand. *I præsequar*: Let those who were first in the guilt, first amend; certainly *Protestants* will meet them in kindness.

Secondly, Inasmuch as they of the *Established Church* do not in the least suspect the truth of their Religion (all the Writings of their *Roman Adversaries* discovering their *Roman Faith*, where differing from the *Protestants*, instead of a Rock, to be built only on Air) and inasmuch as it cannot be justly expected, that merely to gratify our *Adversaries*, we should at once betray both our Religion and our Interest; it is but just, that together with such Statute as shall take away the Penal *Laws* in Contest, there pass another for security of the *National Religion*, that it shall not be altered; and of the regular conformable *Clergy* and their Successors, that their Rights shall not be invaded. It is told us indeed, we have His Majesty's Royal word many times repeated. I humbly return, that

that I know no *true Church-of-England-Man* who does not *rely* upon His Majesties Word, during his Reign (which God long continue) for the security of our Church. But *Succession is a long Train*; and *Laws*, if standing, may keep *posterity in peace*, when *Promises* with their *Authors* are *fallen asleep*. He is not just to the present Age, who is not to his power just to Posterity, however remote. It is therefore reasonable, fit and necessary that such a Statute, as is desired, pass.

As to what you conclude with, That the *Clergy of the Church of England* are very *ungrateful* to His Majesty for his repeated Promises of Protection, and together *uncivil* to him, in not *fully acquiescing* in his Royal word so often given for the security of their Religion, Rights and Privileges; and *not offering to concur*, according to his desire, in the Repeal of the Penal Laws: I take the liberty to *aver*, that I know not *one Clergy man* of that Church who has not *solemnly under his hand given His Majesty thanks* for those Promises. All the *Addresses* we made in the year of His Majesties accession to the Crown, were so many *humble Testimonies of our Gratitude*, and *Zealous Vows of our Loyalty*; and if *Addresses of meer Thanks*, and *Vows of Loyalty* would be accepted, there is not an English Bishop, Priest, or Parish in the Three Kingdoms, I believe, but would present them most gladly. But who sees not the *Declaration*, for which 'tis expected we return Thanks, consists of *more parts* than that *private Subjects* can *justify* their approbation of the whole? And as to the sacred Veneration we have for His Majesties word, I have spoken already.

Give me leave for a Conclusion to tell you a *new and very true Story*. A Friend and Neighbour of mine, being very intimate with an eminent person of a certain Religious Order, and knowing well the Principles of that Order, asked him in a good hour, what they meant by this furious driving on an Universal and Unlimited Toleration? The answer he received was, that they were now *Scaffolding*. My Friend understanding him not, desired he would explain himself; but could get no more out of him than this, that they were *yet but Scaffolding*. After further importunity for a more explicit resolution, the good Religious person answered, he would not tell him more; but bid him go to such a person (a Master-Bricklayer, or Mason, be-like) and ask him what *Scaffolding* was? He went to the Man assigned, and received this Answer, *Scaffolding* is *setting up Poles*, and *Boards*, and such *rough stuff*, which *serve us to build*, and when we have built, we *throw them aside*.

The Story I avow to be true, and leave the application of it to all those parties whom it concerns; very well remembering, that *Scaffolds* are *ordinarily made for more uses than one*: However according to the Interpretation given, the Toleration now promoted seems not by its Agitators designed to stand long.

But to make an end: On what terms, I conceive the Penal-Laws in question may be Repealed with justice to the present and succeeding Ages, you may easily collect out of this long and hasty scribble; and so you have my *Free Thoughts* in this so hotly agitated Question. God preserve the King, and grant we may live to see the days, wherein all *Laws Penal to Peaceable, Conscientious men*, and together all *uncharitable Laws*, on all sides, may be for ever abrogated.

I am your Humble Servant



